

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Maurice Cairo Melancon,

Civ. No. 20-2249 (SRN/BRT)

Petitioner,

v.

ORDER

State of Minnesota,

Respondent.

Maurice C. Melancon, OID #255803, MCF-Stillwater, 970 Pickett St. North, Bayport, MN 55003, Petitioner *pro se*.

Jonathan P. Schmidt, Hennepin County Government Center, 300 South 6th Street, Ste C-2000, Minneapolis, MN 55487 and Matthew Frank, Minnesota Attorney General's Office - Ste 1800, 445 Minnesota Street, St Paul, MN 55101-2134, for the State of Minnesota.

Based upon the Report and Recommendation of United States Magistrate Judge Becky R. Thorson dated December 11, 2020 [Doc. No. 5], and after an independent review of the files, records and proceedings in the above-entitled matter,

IT IS HEREBY ORDERED that:

1. The motion of Maurice Cairo Melancon [Doc. No. 1] is DENIED without prejudice;
2. This action is DISMISSED; and
3. Petitioner's Application to Proceed in forma pauperis, [Doc. No. 2], is DENIED as moot.
4. The Clerk's Office is directed to send Mr. Melancon a copy of the Court's standard template for Section 2254 Habeas Actions.

BY THE COURT:

DATED: December 29, 2020

s/Susan Richard Nelson
SUSAN RICHARD NELSON
United States District Judge